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UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

UNITED STATES OF AMERICA,

Plaintiff,

v.

DAVID CRISTALES-MACHADO,
aka "David Macaado,"
aka "Mauro Alejandro Rosas,"

Defendant.

Case No. 2:25-mj- 00302-DJA

**Stipulation to Extend Deadlines
to Conduct Preliminary Hearing and
File Indictment (First Request)**

IT IS HEREBY STIPULATED AND AGREED, by and between Sigal Chattah,
United States Attorney, and Clay Plummer, Special Assistant United States Attorney,
counsel for the United States of America, and Wendi O'Leary, Assistant Federal Public
Defender, counsel for DAVID CRISTALES-MACHADO that the Court schedule the
preliminary hearing in this case for no earlier than 90 days from the date of the Defendant's
initial appearance. The preliminary hearing is currently set for 24 April of ~~March~~ 2025, at
4 p.m.. This request requires that the Court extend two deadlines: (1) that a preliminary
hearing be conducted within 14 days of a detained defendant's initial appearance, *see* Fed.

1 R. Crim. P. 5.1(c); and (2) that an information or indictment be filed within 30 days of a
2 defendant's arrest, *see* 18 U.S.C. § 3161(b).

3 This stipulation is entered into for the following reasons:

4 1. The United States Attorney's Office has developed an early disposition
5 program for immigration cases, authorized by the Attorney General pursuant to the
6 PROTECT ACT of 2003, Pub. L. 108-21.

7 2. The early disposition program for immigration cases is designed to: (1) reduce
8 the number of hearings required in order to dispose of a criminal case; (2) avoid having
9 more cases added to the court's trial calendar, while still discharging the government's duty
10 to prosecute federal crimes; (3) reduce the amount of time between complaint and
11 sentencing; and (4) avoid adding significant time to the grand jury calendar to seek
12 indictments in immigration cases, which in turn reduces court costs.

13 3. The government has made a plea offer in this case that requires defendant to
14 waive specific rights and hearings in exchange for "fast-track" downward departure under
15 USSG § 5K3.1. This offer will be withdrawn if it is not timely accepted before this matter is
16 indicted and before a preliminary hearing is held.

17 4. Under Federal Rule of Criminal Procedure 5.1(c), the Court "must hold the
18 preliminary hearing within a reasonable time, but no later than 14 days after the initial
19 appearance if the defendant is in custody"

20 5. However, under Rule 5.1(d), "[w]ith the defendant's consent and upon a
21 showing of good cause—taking into account the public interest in the prompt disposition of
22 criminal cases—a magistrate judge may extend the time limits in Rule 5.1(c) one or more
23 times"

1 Trial Act, 18 U.S.C. § 3161(b) and (h)(7)(A), considering the factors under 18 U.S.C.
2 § 3161(h)(7)(B)(i) and (iv).

3 14. This is the first request for an extension of the deadlines by which to conduct
4 the preliminary hearing and to file an indictment.

5 DATED this 10th day of April, 2025.

6 Respectfully submitted,

7 RENE VALLADARES
Federal Public Defender

SIGAL CHATTAH
United States Attorney

8 /s/ 

/s/ *Clay Plummer*

9 Assistant Federal Public Defender
10 Counsel for Defendant
11 DAVID CRISTALES-MACHADO

CLAY A PLUMMER
Assistant United States Attorneys

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**[Proposed] Order on Stipulation to
Extend Deadlines to Conduct
Preliminary Hearing and File
Indictment**

Based on the stipulation of counsel, good cause appearing, and the best interest of justice being served; the time requested by this stipulation being excludable in computing the time within which the defendant must be indicted and the trial herein must commence pursuant to the Speedy Trial Act, 18 U.S.C. § 3161(b) and (h)(7)(A), and Federal Rule of Criminal Procedure 5.1, considering the factors under 18 U.S.C. § 3161(h)(7)(B)(i) and (iv):

IT IS THEREFORE ORDERED that the preliminary hearing currently scheduled on the 24th day of April, 2025 at the hour of 4 p.m., be vacated and continued to July 7, 2025 at 4:00 p.m.

DATED this 10th day of April, 2025.



HON. DANIEL J ALBREGTS
UNITED STATES MAGISTRATE JUDGE